

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|---------------------|---|---------------------|
| In Re: |) | Case No. 24 B 10780 |
| |) | |
| SILVETTE E. WEAVER, |) | Chapter 13 |
| |) | |
| Debtor. |) | Hon. Janet S. Baer |

**NOTICE OF MOTION OF SANTANDER CONSUMER USA INC.
FOR RELIEF FROM STAY**

VIA ELECTRONIC NOTICE:

To: Glenn B. Stearns (Trustee)
801 Warrenville Road, Suite 650
Lisle, Illinois 60532

Maura G. Zalc, Esq. (Debtor's Counsel)
The Zalc Law Firm, LLC
1755 South Naperville Road, Suite 100
Wheaton, Illinois 60189

VIA U.S. MAIL

To: Silvette E. Weaver (Debtor)
2736 Forest Glen Parkway
Woodridge, Illinois 60517

Please take notice that on February 21, 2025 at 9:30 a.m., I will appear before the Honorable Janet S. Baer, or any judge sitting in that judge's place, **either** in courtroom 615 of the Dirksen U.S. Courthouse at 219 South Dearborn, Chicago, Illinois, **or** electronically as described below, and present the Motion of Santander Consumer USA Inc. for Relief from Stay, a copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the internet, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is **160 731 2971** and the passcode is **587656**. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

Respectfully submitted,

SANTANDER CONSUMER USA INC.,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312) 332-3535 / (312) 332-3545 (facsimile)

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the above-named persons by electronic filing or, as noted above, by placing same in a properly addressed and sealed envelope, postage prepaid, and depositing it in the United States Mail at 180 North LaSalle Street, Chicago, Illinois on January 31, 2025, before the hour of 5:00 p.m.

/s/ Cari A. Kauffman

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| Debtor. |) | Hon. Janet S. Baer |

**MOTION OF SANTANDER CONSUMER USA INC.
FOR RELIEF FROM STAY**

SANTANDER CONSUMER USA INC. (“Santander”), a creditor herein, by its attorneys, the law firm of Sorman & Frankel, Ltd., respectfully requests this Court, pursuant to Section 362 of the Bankruptcy Code, 11 U.S.C. §362 (West 2025), and such other Sections and Rules may apply, to enter an Order granting relief from the stay provided therein. In support thereof, Santander states as follows:

1. On July 25, 2024, Silvette E. Weaver (“Debtor”) filed a Voluntary Petition for Relief under Chapter 13 of the Bankruptcy Code. On October 23, 2024, Debtor filed an Amended Chapter 13 Plan, which provides for payment of Santander’s secured claim through the Chapter 13 Trustee, and which was confirmed on October 25, 2024.

2. Santander is a creditor of the Debtor with respect to a certain indebtedness secured by a lien upon a 2016 Chrysler Town & Country motor vehicle bearing a Vehicle Identification Number of 2C4RC1BG7GR132834 (the “Vehicle”). (See Ex. “A”).

3. On or about November 25, 2024, Debtor caused the Vehicle to be impounded by Auto Tech & Transmission LLC.

4. On or about December 10, 2024, Santander recovered the Vehicle from Auto Tech & Transmission LLC, paying required bailout fees and costs.

5. The current total outstanding balance due to Santander from the Debtor for the Vehicle is \$9,150.36.

6. Debtor has failed to provide Santander or its counsel with proof of a valid full coverage insurance policy for the Vehicle identifying Santander as the lienholder/loss payee.

7. As such, Santander seeks relief from the automatic stay so that Santander may sell the Vehicle and apply the sales proceeds to the balance due from Debtor.

8. Debtor has not offered, and Santander is not receiving, adequate protection for its secured interest or depreciating value. Further, Debtor has no equity in the Vehicle and the Vehicle is not necessary to an effective reorganization by Debtor.

9. Santander will suffer irreparable injury, harm, and damage should it be delayed in foreclosing its security interest in the Vehicle.

10. Santander requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, Santander Consumer USA Inc. respectfully requests that this Court enter an Order, as attached hereto, granting relief from the stay provided by Section 362 of the Bankruptcy Code to permit Santander to pursue its nonbankruptcy remedies with respect to the 2016 Chrysler Town & Country motor vehicle bearing a Vehicle Identification Number of 2C4RC1BG7GR132834; and, for such other, further, and different relief as this Court deems just and proper.

Respectfully submitted,

SANTANDER CONSUMER USA INC.,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
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